



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
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November 8, 2019—Sent via email

John Ricker
65523-70854606@requests.muckrock.com

Re: Case No. 20-0221

Dear Mr. Ricker:

This responds to your October 12, 2019 request for assistance from the Office of Government Information Services (OGIS). OGIS is the Federal Freedom of Information Act (FOIA) Ombudsman. We assist the public and Federal agencies by helping them resolve their FOIA disputes, and by addressing their questions and concerns about the FOIA process. OGIS has no investigatory or enforcement power, nor can we compel an agency to release documents. Instead, OGIS provides information to FOIA requesters and Federal agencies to increase understanding and resolve disputes.

We carefully reviewed your submission of information and we understand that you dispute the Social Security Administration's (SSA) fee determination made in response to your FOIA request.

It is unclear from your submission whether you appealed SSA's response according to the directions provided in the agency's response letter. If you have not done so already, we strongly encourage you to file a FOIA administrative appeal.

The appeal is an important part of the FOIA administrative process, and OGIS's assistance does not replace the appeal process. By filing an appeal, you preserve your administrative rights and give the agency a chance to look at the request anew and carefully review and reconsider every part of the initial response.

On appeal, the agency FOIA office that reviews and addresses administrative appeals will typically review your request, the agency's initial response, your appeal letter, and files pertaining to the agency's processing of your request. Based on the available information, the appeals office will independently determine whether the agency properly processed your request at the initial stage. The appeals office may affirm the initial response in full or it may reverse or modify the initial response. The agency will notify you of its appeal determination in writing.

At this time, if you are concerned with SSA's application of fees in response to your request, your best course of action is to file an appeal and work your way through the agency's FOIA administrative appeal process.

If you dispute the appeal determination or have questions or concerns that we have not addressed, please contact us again and provide us with the following:

- a brief description of the FOIA issue or dispute (*e.g.*, inadequate search, disputing exemptions, challenging fees) and the assistance you seek from OGIS;
- your administrative appeal; and
- the agency's response to your appeal.

We hope you find this information useful. Thank you for bringing this matter to OGIS; at this time we consider this matter closed.

Sincerely,

The OGIS Staff

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OFFICE OF GOVERNMENT INFORMATION SERVICES

National Archives and Records Administration

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